

OVERVIEW OF AMENDMENTS & REMARKS

1. SPECIFICATION: No amendments.
2. CLAIM AMENDMENTS: The prior claims of record 1 - 54 are all canceled without disclaimer of the subject matter involved, and are replaced by new rewritten claims 1-55.
3. FEE STATUS: (small entity) A total of \$2785 has been paid on the present application which results in an overpayment of \$572 per this PRELIMINARY AMENDMENT B which now presents (32) independent claims, and (33) dependent claims for a total of (55) claims.

BASIC NATIONAL FEE	\$350
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EXCESS CLAIM FEES PREVIOUSLY PAID:	\$2435
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EXCESS CLAIM FEES NOW DUE:	\$1863
independent claims in excess of three : 29 x \$41 = \$1189	
claims in excess of twenty: 49 x \$11 = \$539	
multiple dependent claims: \$135	

OVERPAYMENT OF EXCESS CLAIM FEES	\$572
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| 4. REQUEST FOR REFUND OF OVERPAYMENT | \$572 |
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CLAIM AMENDMENTS

Cancel the prior substitute and rewritten claims of record 1 - 54 without prejudice, and without disclaimer of the subject matter involved, and substitute with newly rewritten claims 1 - 55 as follows:

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1. A method of treating deep tissue, or systemic fungal diseases comprising:
administration to an area of disease a suitable carrier containing a primary anti-infective compound obtainable from capsicum pepper, or an equivalent in a therapeutically effective amount.

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2. A method of treating systemic diseases selected from the group consisting of blastomycosis, coccidioidomycosis, entomophthoromycosis, or paracoccidioidomycosis comprising:
administration to an area of disease a suitable carrier containing a primary anti-infective agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

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3. A method of treating systemic diseases selected from the group consisting of aspergillosis, candidiasis, cryptococcosis, or histoplasmosis comprising:
systemic administration to an area of disease a suitable carrier containing a primary anti-infective agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

4. A method of treating fungal infections of the mucosa comprising:
administration to an area of disease a suitable carrier containing a primary anti-infective agent obtainable from a pepper plant of the genus *Capsicum*, *Peperoma*, or species *Piper retrofractum*, *Piper longum*, or *Piper nigrum* in a therapeutically effective amount.

5. A method of treating the superficial manifestations of fungal disease in the areas of the body about the face, ear, mouth, neck, and below and deep tissue, or systemic fungal diseases comprising: administration to the area of disease a suitable carrier containing a primary anti-infective agent obtainable from pepper, or an equivalent wherein a therapeutically effective amount is a concentration similar to oleoresin or less.

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6. A method of treating the superficial manifestations of fungal disease or systemic fungal diseases comprising: administration to the area of disease a suitable carrier containing a primary anti-infective agent obtainable from pepper, or an equivalent wherein a therapeutically effective amount is concentration within the range of ground spice or oleoresin.

7. A method as in any one of claims 5 or 6, wherein the disease is tinea pedis.

8. A method as in any one of claims 5 or 6, wherein the disease is tinea corporis.

9. A method as in any one of claims 5 or 6, wherein the disease is tinea cruris.

10. The method of claim 6, wherein the disease is tinea capitis.

11. A method of treating infectious/disease selected from the group consisting of actinomycosis, ear infections, nocardiosis, systemic staphylococcal infections, or respiratory tuberculosis comprising: administration to an area of disease a suitable carrier containing a primary anti-infective compound obtainable from pepper, or an equivalent in a therapeutically effective amount.

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12. A method of treating skin diseases selected from the group consisting of bacterial rashes, tuberculosis, comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

13. A method of treating warts comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

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14. A method of treating parasitic worm infections of the skin comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

15. A method of treating infectious disease comprised of:
topical administration of a suitable carrier containing a primary anti-infectious compound obtainable by hydrolysis of a pepper plant component, or an equivalent in a therapeutically effective amount.

16. A method of treating infectious disease in animals comprised of:
administration of a suitable carrier containing a primary anti-infectious compound obtainable by hydrolysis of a pepper plant component, or an equivalent in a therapeutically effective amount.

17. A method of treating fungal disease in animals comprised of:
administration of a suitable carrier containing a primary anti-infectious compound obtainable by hydrolysis of a *Solanaceae* family pepper plant component, or an equivalent in a therapeutically effective amount.

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18. A method of treating wound infections in humans comprising: administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from Piperaceous pepper, or an equivalent in a therapeutically effective amount.

19. A method of treating infectious disease in a human, or an animal comprising:
administration by injection to an area of disease a suitable carrier containing a primary anti-infective agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

B1 20. A method of treating lung disorders comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

21. A method of treating rectal disorders comprising:
topical administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

22. A method of treating vaginitis comprising:
administration to an area of disease a suitable carrier containing a primary anti-infective agent obtainable from a pepper plant of the genus *Capsicum*, *Peperoma*, or species *Piper retrofractum*, *Piper longum*, or *Piper nigrum* in a therapeutically effective amount.

23. A method as in any one of claims 20 - 22, wherein the disease is cancer.

24. A method of treating nail disorders comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

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25. The method as of claim 24, wherein the disorder is tinea.
26. The method of claim 24, wherein the disorder is psoriasis.
27. A method of treating itch comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.
28. A method of treating disease or injury comprising:
administration to an area of disease or injury an article of clothing impregnated with a primary therapeutic agent in a therapeutically effective amount.
29. The method of claim 28, wherein the article of clothing is underwear.
30. The method of claim 28, wherein the article of clothing is socks.
31. The method of claim 28, wherein the article of clothing is shoe liners.
32. A method of treating disease or injury in a human or animal comprising:
administration to an area of disease or injury a phytoalexin as a primary therapeutic agent in a therapeutically effective amount.
33. The method of claim 32, wherein the phytoalexin is capsidiol.
34. A method as in any one of claims 28, or 32, wherein the agent is antifungal.

35. A method as in any one of claims 20, or 21, wherein the disease is candidiasis.

36. A method as in any one of claims 3, or 4, wherein the agent is antibacterial.

37. A method as in any of claims 18, or 20, wherein said disease is caused by staphylococcus.

38. The method of claim 19, wherein said agent is against parasitic worms.

39. A method as in any one of claims 15, or 19, wherein said agent is antiviral.

40. A method of treating seborrhea comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

41. The method of claim 40, wherein the seborrhea includes dandruff.

42. A method of treating acne comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

43. A method of treating wrinkles comprising:
administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

44. A method of treating skin cancer comprising:

administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

45. A method of treating diseases selected from the group consisting of psoriasis, and non-infectious dermatitis comprising: administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from Piperaceous pepper, or an equivalent in a therapeutically effective amount.

B1 46. A method of treating corns, or callouses comprising: administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from capsicum pepper, or an equivalent in a therapeutically effective amount.

47. A method of treating psoriasis comprising: administration to an area of disease a suitable carrier containing as a primary therapeutic agent a mixture of compounds obtainable from capsicum pepper, or an equivalent in a therapeutically effective amount.

C 48. A method of treating psoriasis comprising: administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from Piperaceous pepper, or an equivalent in a therapeutically effective amount.

49. A method of treating burns comprising: administration to an area of disease a suitable carrier containing a primary therapeutic agent obtainable from Piperaceous pepper, or an equivalent in a therapeutically effective amount.

50. A method as in any one of claims 18, or 19, wherein said compound is a hydrolyte.

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Sub C37 51. A method as in any one of claims 1, or 19, wherein said agent is a synthetic.

13 52. A method as in any one of claims 5, or 6, wherein said plant is a Capsicum.

14 53. A method as in any one of claims 5 or 6, wherein said agent is a capsaicinoid (Fig. 6) analog.

B1 *15* 54. A method as in any one of claims 5, or 6, wherein said plant is *piperaceous*.

Concl'd *16* 55. A method as in any one of claims 5, or 6, wherein said agent contains a piperidine (Fig. 8) constituent.

No further amendments at this time.

Respectfully,

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Certificate of Mailing

I certify that this correspondence will be deposited with the United States Postal Service as first class mail with proper postage affixed in an envelope addressed to: "Commissioner of Patents and Trademarks, Washington, DC 20231" on April 23, 1998.

Jeff J. Staggs
Jeff J. Staggs, Applicant

4/23/98
Date

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